# FIRST SCHEDULE

### THRESHOLD MATRIX

# THRESHOLDS MATRIX FOR CLASS A PROCURING ENTITIES

Procurement Method		timum level of exper		Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act					
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods services or works		
International Open tender (s 71 of the Act)	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	The Accounting Officer	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee		
National Open tender (s 54(2) of the Act)	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the hudget for the particular procurement	Head of the User Department	Tender committee	The Accounting Officer	Evaluation negotiations, inspection and acceptance committee		

Procurement Method		imum level of exper ular procurement n				l officers and come 26(3)(c) of the Act	nittees in the
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods services or works
	When using this method the minimum expenditure that requires advertising is KES. 6,000,000/below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES. 6,000,000 below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES. 3,000,000 below which may use alternative advertising methods	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method		nimum level of expe cular procurement	nditure allowed for method	Segregation of d procurement cy-	uties for different de under section :	officers and come 26(3)(c) of the Act	
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Restricted tender . Under s 73(2) of the Act	Maximum level of expenditure shall be determined by the funds, allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
	The minimum level of expenditure is KES. 2,000,000 below this threshold use request for quotations	The minimum level of expenditure is KES. 4,000,000 below this threshold use request for quotations	The minimum level of expenditure is KES. 2,000,000 below this threshold use £3.000,000 quotations	Head of the User Department	Tender committee	The Accounting Officer	Evaluation. negotiations, inspection and acceptance committee

Procurement Method		imum level of expen ular procurement n		Segregation of d procurement cyc	cle under section 2		
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Request for proposals (s 76(1) of the Act)	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
Direct Procurement under s 74(2) and (3) of the Act	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee or Procurement committee where expenditure is below KES,500,000	The Accounting Officer or Head of the User Department where expenditure is below KIS.500.000	Evaluation, negotiations, inspection and acceptance committee
Request for quotations(s 88 of the Act)	Maximum level of expenditure under this method is KES. 2,000,000	Maximum level of expenditure under this method is KES. 4,000,000	Maximum level of expenditure under this method is KES, 2,000,000	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurement Method		imum level of experient i	nditure allowed for method	Segregation of d procurement eye	uties for differen de uader section	officers and come 26(3)(c) of the Act	
·	Goods	Works	Services	Person responsible for procurement initiation	Rody responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
	Minimum level of expenditure under this method is KES. 30.000 per procurement per item	Minimum level of expenditure under this method is KES, 50,000 per procurement per item	Maximum level of expenditure under this method is KES, 30,000 per procurement per item	Head of the User Department	Procurement communication where some experiments below KPS,500,000	Head of the User Department where expenditure is below KFS,500,000	Evaluation, negotiations, inspection and acceptance committee
Low value procurement(s 90 of the Act)	Maximum level of expenditure under this method is KES. 30,000 per procurement per item	Maximum level of expenditure under this method is KES. 50,000 per procurement per item	Maximum level of expenditure under this method is KES, 30,000 per procurement per ttem	Head of the User Department	Use Department	The Head of the Procurement Unit	Stores officer
·	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	Head of the User" Department	User @ Department	The Head of the Procurement Unit	Stores officer

## THRESHOLDS MATRIX FOR CLASS B PROCURING ENTITIES

Procurem ent	Maximum or minim particular procuren	Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c)					
Method	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Internation al Open tender (s 71 of the Act)	There is no meximum or .minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	The Accounting Officer	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee.
National Open tender (s 54(2) of the Act)	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurem ent	particular procuren	nent method	allowed for the use of a	Segregation of	duties for differe at cycle under se	ent officers and o	onimittees in
Method	Goods	Works	Services	Person responsible for procurement,	Body responsible for the	Person responsible for signing the Contract	Verification of receipt of goods, services or works
	When using this method the minimum expenditure that requires advertising is KES 5.000,000/below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES 5,000,000/-below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES 3,000,000/- below which may use alternative advertising methods	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance conunities
Restricted tender Under s. 73 (2) of the Act	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Head of the User Department	Tender Committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procurem ent	Maximum or minin particular procures		allowed for the use of a	Segregation of	duties for differe	nt officers and o	ommittees in
Method	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
,	The minimum level of expenditure is KES 1,500,000 below this threshold use request for quotations	The minimum level of expenditure is KES 3,000,000 below this threshold use request for quotations	The minimum level of expenditure is KES 1,500,000 below this threshold use request for quotations	Head of the User Department	Tender Committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
Request for proposals s 76(1) of the Act	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
Request for quotations (s 88 of the Act)	Maximum level of expenditure under this method is KES 1,500,000	Maximum level of expenditure under this method is KES 3,000,000	Maximum level of expenditure under this method is KES 1,500,000	Head of the User Department	Tender committee or Procurement committee where	The Accounting Officer or Head of the User	Evaluation, negotiations, inspection and acceptance

Procurem ent	Maximum or minim particular procuren		allowed for the use of a	the procuremen	t cycle under sec	nt officers and co ction 26(3)(c)	Verification
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	of receipt of goods, services or works
	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method		expenditure is below KES 500,000	Department where expenditure is below KES,500,000	
Direct procureme nt Under s. 74 (2) and (3) of the Act.	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the gg User Department	Tender committee or Procurement committee where expenditure is below KES_500,008	The Accounting Officer or Head of the User Department where expenditure is below KES,500,000	Evaluation, negotiations, inspection and acceptance committee
Low value procureme nt(s 90 of the Act)	Maximum level of expenditure under this method is KES 10, 000/- per procurement per item	Maximum level of expenditure under this method is KES 10, 000/- per procurement per item	Maximum level of expenditure inpler this method is KES 10, 000% per procurement per item.	Head of the User Department	User department	The Head of the Procurement Unit	Stores officer

Procurem ent	Maximum or minim particular procuren	Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c)					
Method	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
,	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	Head of the User Department	User department	The Head of the Procurement Unit	Stores officer

### THRESHOLDS MATRIX FOR CLASS C PROCURING ENTITIES

Procureme nt Method	Maximum or minin a particular procur	Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act)					
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Internation al Open tender( s 71 of the Act)	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	There is no maximum or minimum level of expenditure under this method	The Accounting Officer	Tender 'committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procureme nt Method	Maximum or minim a particular pròcure	rum level of expenditure ement method	allowed for the use of	Segregation of d			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the	Person responsible for signing the Contract	Verification of receipt of goods, services or works
National Open tender (S54 (2) of the Act)	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Maximum level of expenditure shall be determined by the funds allocated in the budget for the particular procurement	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
	When using this method the minimum expenditure that requires advertising is KES 4,000,000/below which may use alternative advertising methods	When using this method the minimum expenditure that requires advertising is KES 4,000,000/-below which may use alternative advertising methods	When using this method the mininum expenditure that requires advertising is KES 2,009,000/-below which may use alternative advertising methods	Head of the y User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procureme at Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act)			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Restricted tender Under 73 (2) of the Act	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee
	The minimum level of expenditure is KES 500,000. Below this threshold request for quotations	The minimum level of expenditure is KES 500,000. Below this threshold request for quotations	The minimum level of expenditure is KES 500,000. Below this threshold request for quotations	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations. inspection and acceptance committee
Request for proposals (s. 76(1) of the Act)	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	Head of the User Department	Tender committee	The Accounting Officer	Evaluation, negotiations, inspection and acceptance committee

Procureme nt Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act)			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, reprices or works
Request for quotations( s 88 of the Act)	Maximum level of expenditure under this method is KES 500.000	Maximum level of expenditure under this method is KES 500,000	Maximum level of expenditure under this method is KES 500,000	Head of the User Department	Tender committee or Procurement committee where expenditure is below KES.100.000	The Accounting Officer or Head of the User Department where expenditure is below KES.100,000	Evaluation, negotiations, inspection and acceptance committee
Direct procureme nt Under 74 (2) and (3) of the Act.	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method provided the conditions under this section are met	No minimum or maximum expenditure under this method proyided the conditions under this section are met	The Accounting Officer Head of the User Department initiates procurement whose expenditure is below KES. 200,000	Tender committee Procurement committee awards for procurement whose expenditure is below KES.	The Accounting Officer or Head of the User Department where expenditure is below KES. 200,000	Evaluation. negotiations, inspection and acceptance committee

Procureme nt Method	Maximum or minimum level of expenditure allowed for the use of a particular procurement method			Segregation of duties for different officers and committees in the procurement cycle under section 26(3)(c) of the Act)			
	Goods	Works	Services	Person responsible for procurement initiation	Body responsible for the awarding the contract	Person responsible for signing the Contract	Verification of receipt of goods, services or works
Low value procureme nt(s 90 of the Act)	expenditure under this method is KES method is KE	Maximum level of expenditure under this method is KES 5,000 per procurement per item	this expenditure under this method is KES 5,000	Head of the User Department	User Department	The Head of the Procurement Unit	Stores officer
	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	There is no minimum expenditure for the use of this method	Head of the User Department	User Department	The Head of the Procurement Unit	Stores officer

<sup>6.</sup> The Fourth Schedule of the principal Regulations is amended by deleting Part II and substituting therefor the following new Part.

#### Part II

#### FEES FOR REVIEWS

1. Administrative fee

KES 5,000

2. Upon filing a request for review, the fees payable shall be as follows-

Amount of Tender	Fees				
1. Tenders of Ascertainable Value					
(a) Does not exceed KES. 2,000,000	1% subject to a minimum of KES, 20,000/-				
(b) Exceeds KES. 2,000,000/- but not over KES. 50,000,000/-	The fees for KES. 2000,000 plus ar additional fee of 0.25% on the amount above KES. 2,000,000				
(c) Exceeds KES. 50,000,000/-	The fees for tender sum of KES, 50,000,000 plus an additional fee of 0.025% on the amount above KES,50,000,000/- subject to a maximum fee of KES, 200,000/-				
Pre-qualification and other     Unquantified Tenders	KES, 40, 000y.				
(f) Any other Tenders	Subject to a minimum of KES: 20,000/- and a maximum of KES, 40,000/-				
3. Upon request of an adjournment to a party by the Board	KES.10, 000/-				
4. filing preliminary objection	KES.5; 000/-				
5. Fee to accompany the review of Director General's order (s.106 (3))	KES.40, 000/-				
<ol> <li>Filing fees on each request for a review on debarment order (s. 117(3))</li> </ol>	KES,40, 000/-				
7. The Secretary may demand additional than that ascertained to be chargeable	l fee if the fee paid at the time of filing is less c.				

Made on the 18th June, 2013.

HENRY ROTICH, Cabinet Secretary for the National Treasury.